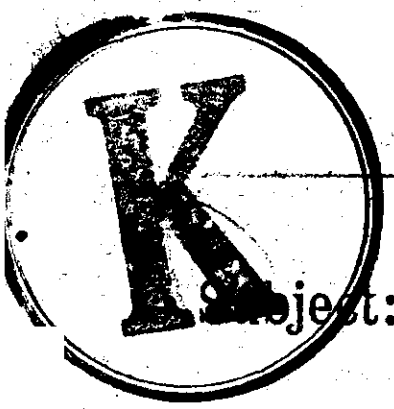
1952. **File No.** Requisitioning II/52 (N)

Legal Deptt.
B BRANCH . p. 7 (E)



Subject:— Notifications under Bombay Land Requisition Act, 1948

File No. Requisitioning II/52 (N)
Gen. 194

359-B

Legal Department.

Para 1 of R.D. (Accom) note at p. 1 - As the powers of making recoveries have been delegated to the Addistant to the Collector of Bombay and to the Supernumarary Assistant Collector of the Bombay Suburband District respectively such Officer is entitled to sign in his own capacity as the Assitant to the Collector or as Supernumarary Assitakat Collector of the Bombay Suburban District, as the case may be.

Para 2 of R.D.(Accom) note- The as amended from at page 17 is in order.

Paras 3 to 6 of R.D.(Accom) note - All these questions arise out of the procedure to be foll wed in connection with the recovery of arrears which are to be deemed as arrears of land revenue. The Collector of Bombay and the Collector, Bombay Suburban District must have considered such difficulties in the past in connection with the recovery of amount to be deemed as arrears of land revenue under various other Acts. The Office of the Collector of Bombay and the office of the Collector of Bombay, Suburban District must have now settled the procedure in connection with such recovery. That procedure also would be useful in recovering the amount of compensation under the Bombay Land Requisition Act. The necessary information may therefore be obtained from the Collector of Bombay ~~and the Collector, Bombay~~ and the Collector, Bombay Suburban District.

Para 7 of R.D. (Accom) note - It is the location of the defaulter's property intended to be attached which determines the Act which is to be applied for the purpose of recovery of....

of arrears. If such property is found or situate in Bombay City the provisions of the Bombay City Land Revenue Act would apply. If such property is found or situate in the Bombay Suburban District the provisions of the Bombay Land Revenue Code would apply.

Id/- J.R.D.
19/3

Additional Secretary to Government.

U.R. to R.D. (Accom) No. 4210,
dated, 19th March 1952.

JPE.27/6/56.4c.

Notice of Demand of Payment of Compensation under section 12 of Bombay City Land Revenue Code, 1876, read with section 8B of the Bombay Land Requisition Act, 1948.

No. C/D
Office of the Controller of Accommodation,
Oriental Building, Flora Fountain, Fort,
Bombay, 1952.

To

Take notice that on behlaf of Government I hereby demand payment by you of the sum of Rs. now due and unpaid on account of compensation in respect of premises, requisitioned under Bombay Land Requisition ACt,1948 and amendments thereof, under Government Order No, dated and allotted in the name of under Order No. dated for the period from to recoverable as arrears of land revenue under Section 8B of the Act specified above, and also payment by you of the fee of Rs. 2 in respect of this notice, which two sums make together the sum of Rs. be not paid into this office within twenty days after the date of service hereof on you, I shall proceed to obtain payment of the same by attachment and sale of any property of yours, moveable or immovable, or by the other remedies provided by Section 13 of the Bombay City Land Revenue Act, 1876.

Addltant to Collector of B'bay.

JPE.27/6/56.4c.

Legal Department.

The Collector of Nasik has under his notice No.L.A.Q.#824 dated 19/11/48 acquired the S.Nos. 271/3, 271/4 and 277/1 from the village Vadner in Nasik Taluka belonging to Shri Dwarkadas Tribhuwandas for military purposes on behalf of the Central Governme nt. The Collector of ~~Ex~~ Nasik has determined the cost of acquisition of the said land at Rs.12049-10-0. the owner, however, being dissatisfied with the said amount has accepted the same under protest and requested the Government for the appointment of an arbitrator to determine the amount of compensation.

2. The attention of the R.D. is invited to the opinion of the Additional Secretary given in U.R. to R.D. No. 5403 dated 10/4/52. As the lands in question were acquired on behalf of the Central Government, the question of the appointment of an arbitrator will have to be dealth with accordding to the provisions of the Requisitioning and Accquisition of Immovable Property Act, 1952 (XXX of 1952). For the reasons stated in the said opinion, it ~~xuk~~ would not be competent for the Government of Bombay to appoint an arbitrator in this case. The proposal will have to be referred to the Central Governmen† for taking necessary action under section 8(b) of the said Act.

Id/- J.R.D.
19/4

Additional Secretary to Government.

U.R. to R.D., No.6004, dated the 21st April 1952.

JPE.27/6/56.4c.

Legal Department.

Two revised draft orders are sent herewith. They are drafted on the lines indicated in the judgment of the Bombay High Court in Misc. No. 164 of 1952, Mohanlal Kapur v. The State of Bombay.

2. The first draft order may be used when an owner or a landlord resides in the buildihg proposed to be requisitioned. The second draft Order may be used when a tenant resides inthe R building proppsed to be requisitioned. If a part of the building is to be requisitioned the necessary alteration may be made in the model draft before it is used.

3. It is presumed that the Assistant Controller of Accommodation and the Accommodation Officer, who is to sign the requisition order, have been specifically empowered so to do under rule 12 of the Bombay Government Rules of Business.

Id/- R&P J.R.D.
13/10

Additional Deputy Secretary to Govt.

U.R. to R.D.(Accom) No. 16999/B,
dated the 14th October 1952

JPE.27/ 6/56.
4 copies.

No

GOVERNMENT OF BOMBAY

Oriental Building, Flora Fountain,

Bombay, 1952.

ORDER.

here insert the name of the owner or landlord, as the case may be.

Whereas on inquiry it is found that * was the person lawfully entitled to reside in building / part of the building specified below;

An where as inquiry it is found that the said---------- has not actually resided in the building / part of the Building specified below for a continuous period of six months immediately preceding the date of this Order;

And whereas in the opinion of the Government of Bombay it is necessary to requisition the said building/part of the Building specified below for the purpose of the State/ for a public purpose, namely, for housing a Government servant;

Now, therefore, in exercise of the powers conferred by section 5 of the Bombay Land Requisition Act, 1948 (Bom. XXXIII of 1948), the Government of Bombay is pleased to declare that the said ---------- had not actually resided in the building / part of the building specified below for a continuous period of six months immediately preceding the date of this order; and to requisition the building/ part of the building specified below for the purpose of the State/ for a public purpose,

namely.....

namely, for housing a Government Servant.

* Building

* omit if not applicable.

Building known as situate at

*/Part of the Building

Flat/Block/Room No. on the floor of the building knows as situated at

By order of the Governor of Bombay,

Assistant Controller of Accommodation.